

CITY COUNCIL MEETING
September 22nd 2015, at 8:30 a.m.

CITY COUNCIL OF THE CITY OF ABILENE, TEXAS
COUNCIL CHAMBERS, CITY HALL

The City Council of the City of Abilene, Texas met in Regular Session on September 22nd 2015, at 8:30 a.m. in the Council Chambers, 555 Walnut St. Mayor Archibald was present and presiding with Councilmen Shane Price, Bruce Kreitler, Anthony Williams, Kyle McAlister and Steve Savage. Councilman Hardaway was absent. Also present were City Manager Robert Hanna, City Attorney Dan Santee, City Secretary Danette Dunlap, and various members of the City staff.

Councilman Price gave the invocation.

Mayor Archibald introduced Juan Rocha a 5th grade student at Taylor Elementary School. Juan led the Pledges of Allegiance to the Flag of the United States of America and the State of Texas Flag.

RECOGNITION

Mayor Archibald recognized City Attorney Dan Santee for his years of employment with the City and wished Dan well for the next chapter in his career.

DISPOSITION OF MINUTES

5.0 Mayor Archibald stated Council has been given the minutes from the September 3rd Special Called Meeting and September 10th Regular Meeting there being no deletions, no additions, and no corrections. Councilman Savage made a motion to approve the minutes as presented. Councilman Williams seconded the motion, motion carried.

AYES: Councilmen Price, Kreitler, Williams, McAlister, Savage and Mayor Archibald
NAYS: None

CONSENT AGENDA

Councilman Kreitler pulled items 6.2 and 6.9. Councilman Savage pulled item 6.4, 6.5, 6.10 and 6.11. Councilman Price made the motion to approve item 6.1, 6.3, 6.6, 6.7 and 6.8 as presented by staff. Councilman Savage seconded the motion, motion carried.

AYES: Councilmen Price, Kreitler, Williams, McAlister, Savage and Mayor Archibald
NAYS: None

Resolutions:

6.1 **Oral Resolution:** City Council approved the Extension of Bid #CB-1434-Water Dept., Street and Miscellaneous Repair work 2014-2015 to Bontke Construction Inc. in the amount of \$909,418.75.

This is an extension of Bid #1434-Water Department, Street & Miscellaneous Repair Work 2014-2015 for the on-demand repair to existing portions of streets that have been damaged by the replacement of water lines. This work is an ongoing contract at numerous streets and alleys throughout the city. The on-demand repair work is for approximately fifteen months. The original contract included a provision for an additional one (1) year period under the same terms and conditions with the agreement of all parties.

6.2 **Resolution:** Awarding Bids for purchase of bulk chemicals used for water and wastewater treatment plants. *(Item pulled from Consent by Councilman Kreitler)*

- 6.3 Oral Resolution:** Council authorized the City Manager to enter into the annual contract renewal with DCOA for Airport Business Development Management & Business Services.

The Development Corporation of Abilene, Inc. (DCOA) approved a budget for FY16 that includes a contract renewal with the City of Abilene for Airport Business Development Management Program.

This contract is being renewed for one year beginning 10-1-15. The agency will be reimbursed for actual expenses. The FY16 contract is in the amount of \$182,721 for salary support for the Business Development Manager, consulting services to expand current air service, and marketing support for the airport through various medium. The current FY15 contract amount is \$198,450, so the FY16 request represents a reduction of 8% from FY15.

- 6.4 Resolution:** Purchase battery backups for rail road signals. *(Item pulled from Consent by Councilman Savage).*
- 6.5 Resolution:** Approval of Zoo Entrance fee increase. *(Item pulled from Consent by Councilman Savage).*
- 6.6 Oral Resolution:** The City Council acknowledges and accepts the 911 Emergency Communications District Revised FY 2015 and Proposed FY 2016 Budgets.

The City of Abilene manages the Abilene/Taylor County 9-1-1 District ("the District") via a contractual agreement with the District's Board of Managers. The Vernon's Texas Codes Annotated (VTCA) Health & Safety Code, Section 772, provides that an annual budget be prepared for the District and reviewed and accepted by the Taylor County Commissioners Court, Abilene City Council, and governing bodies of other participating jurisdictions prior to adoption by the District Board. Attached is the District Budget (revised FY 2015 and Proposed FY 2016) as proposed to the District Board. Highlights in the District's budget include:

- Anticipated compensation adjustments for both City and County positions for which the District provides funding, in accordance with those entities' budgets (proposed)
- Monthly recurring costs for the Public Safety Answering Point (PSAP) at Dyess Air Force Base
- Monthly recurring costs for fiber redundancy added to primary and back-up call centers (PSAPs) to maintain uninterrupted operations

STAFF RECOMMENDATION

Staff recommends that Council acknowledge and accept the Revised 2015 and Proposed FY 2016 9-1-1 District Budgets as proposed to the 9-1-1 District Board of Managers, contingent upon the 9-1-1 District Board's approval of the budgets at its meeting on October 1, 2015.

BOARD OR COMMISSION RECOMMENDATION

Pursuant to statute, the 9-1-1 District Board of Managers does not review and approve the revised and proposed budgets for the District until the governing bodies within the District have reviewed and accepted the budgets. The 9-1-1 Board will meet October 1, 2015.

- 6.7 Oral Resolution:** City Council approved the CityLink Transit Title VI Program. Title VI is a Federal law that applies to all recipients and sub-recipients of Federal financial assistance. Title VI prohibits recipients and sub-recipients from discriminating on the basis of race, color or national origin in their programs or activities, and it obligates Federal funding agencies to enforce compliance.

Federal Transit Administration (FTA) Circular 4702.1B, October 1, 2012 provided greater clarity, accountability, transparency and consistency to the Title VI program. All recipients of FTA funding are

required to provide the following in each Title VI Program:

- Title VI Public Notice
- Complaint form and complaint procedure
- Limited English Proficiency Plan (LEP) and Public Participation Plan
- List of investigations/lawsuits
- Approval of recipients Board of Directors or appropriate governing body
- Plan submittal every three years

As part of its federal funding requirements, CityLink Transit is required to submit an updated Title VI program every three years. The current Title VI Program expired October 2014. CityLink Transit has submitted a Title VI Program and the program is currently in review by the Federal Transit Administration, (FTA), pending required City Council approval of the program for FY 2014-2017. City Council approval is required to remain in compliance with FTA guidelines to receive future federally financial funded assistance for operating/planning and capital activities conducted by CityLink Transit.

Ordinances:

6.8 **Ordinance:** (First Reading) **Z-2015-22** A request from Terry & Susan Lankford to rezone property from RS-6 (Single-Family Residential) to HC (Heavy Commercial) zoning, located at 442, 450 & 460 N. 11th St and 1109 & 1127 Ash St; and setting a public hearing for October 22, 2015.

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, "LAND DEVELOPMENT CODE," OF THE ABILENE MUNICIPAL CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

6.9 **Ordinance:** (First reading) **Z-2015-23**, A request from John Treanor, agent Paul Johnson, & the City of Abilene to rezone property from LI (Light Industrial) to GR (General Retail) zoning, being approximately 11.36 acres on the east side of Treanor Dr (including properties at 4102 Loop 322 & 4373 Treanor Dr) and approximately 12.06 acres on the west side of Treanor Dr; and setting a public hearing for October 22, 2015. *(Item pulled from consent by Councilman Kreitler)*

6.10 **Ordinance:** (First Reading) Ordinance Amending Budget Ordinance No. 47-2015, Part 6 and setting a public hearing for October 8, 2015. *(Item pulled from consent by Councilman Savage.)*

6.11 **Ordinance:** (First Reading) Ordinance Amendment- Chapter 5 Ambulance Services; and setting a public hearing October 8th 2015. *(Item pulled from consent by Councilman Savage.)*

ITEMS PULLED FROM CONSENT

6.2 **Resolution:** Awarding Bids for purchase of bulk chemicals used for water and wastewater treatment plants. *(Item pulled from Consent by Councilman Kreitler)*

Council and Staff discussing included: 1) local vendor is Hydro Plus, LLC. and AirGas USA, LLC.

The City of Abilene Water Department is requesting that by written resolution the City Council award bids for the purchase of bulk chemicals to be used in water and wastewater treatment processes. Notices were published in the Abilene Reporter News on August 9th and 16th, 2015, and the bid opening date was August 25, 2015. The following table lists the individual chemicals bid, the staff recommended bidder, and the unit price for that bid.

SPECIAL CONSIDERATIONS

The following chemicals are used for the treatment of drinking water at the Grimes, Northeast, and Hargesheimer Water Treatment Plants, and/or for the treatment of wastewater at the Hamby Wastewater Treatment Plant. Bulk

Chemicals for the Possum Kingdom Raw Water Roughing Facility are solicited separately, and a separate agenda item will be presented to the Abilene City Council at a later date.

Chemical Name Recommended Supplier Price Per Unit

1 Liquid Chlorine DPC Industries, Inc.	\$ 609.00 per liquid ton
2 Ferrous Chloride Pencco Inc.	\$ 767.00 per dry ton
3 Dry Polymer SNF Polydyne	\$ 3,080.00 per dry ton
4 Ferric Sulfate Chemtrade Chemicals US, LLC	\$ 312.00 per dry ton
5 Sodium Chlorite International Dioxide Inc.	\$ 3,347.68 per dry ton
6 Fluorosilici Acid Mosaic Global Sales, LLC	\$ 1,995.65 per dry ton
7 Bleach (Mini-Bulk) Hydro Plus, LLC	\$ 2.35 per gallon
8 Sodium Permanganate Brenntag Southwest, Inc.	10.4432 per gallon
9 Alum Chameleon Industries, Inc.	\$ 226.97 per dry ton
10 LAS Hydro Plus, LLC	\$ 470.00 per dry ton
11 Caustic DPC Industries, Inc.	\$ 468.72 per dry ton
12 Citric Acid Hydro Plus, LLC	\$ 0.84 per pound
13 Bleach (Bulk) Petra Chemical Co.	0.718 per gallon
14 Sodium Bisulfite Dimmit Sulfur Products	\$ 495.25 per <i>dry ton</i>
15 Liquid Oxygen AirGas USA, LLC	0.0059 per cubic ft

Councilman Savage made the motion to approve the purchase of bulk chemicals used for water and wastewater treatment plants. Councilman Price seconded the motion, motion carried.

AYES: Councilmen Price, Kreidler, Williams, McAlister, Savage and Mayor Archibald

NAYS: None

Resolution: **# 55-2015**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AWARDDING BID TO VARIOUS VENDORS FOR THE PURCHASE OF BULK CHEMICALS USED FOR WATER AND WASTEWATER TREATMENT PROCESSES

6.4 Resolution: Purchase battery backups for rail road signals. *(Item pulled from Consent by Councilman Savage).*

Council and Staff discussion included: 1) price includes the cost of installation.

In June of 2012 Campbell Technology Corporation conducted an assessment of interconnected highway-rail crossings along North and South First Street for Union Pacific Railroad. The inspection was conducted as a result of Safety Advisory 2010-02 regarding preemption systems issued by the Federal Railroad Administration (FRA) on October 1, 2010. The following is an excerpt from the reports.

“When local power outages occur, a dark traffic signal loses its ability to provide a track clearance period. Railroad warning devices should be equipped with a back-up power supply to provide continuous operation for a number of hours. With the advent of LED technology, back-up power for traffic signals is now a realistic option. A back-up power supply maintains the operation of the traffic signal and its ability to display a track clearance interval. 2009 MUTCD recommends the use of back-up power for interconnected signals in

Chapter 4D.27, Section 4D.27, Paragraph 11 which states:

Except for traffic control signals interconnected with light rail transit systems, traffic control signals with railroad preemption or coordinated with flashing-light signal systems should be provided with a back-up power supply.

It is recommended that a back-up power system be provided for the traffic control signals in accordance with section 4D.27, 2009 MUTCD.” Traffic Engineering recommends the purchase of 12 UPS Battery Backup Systems from Paradigm Traffic Systems, Inc. from the TxBuyBoard Contract # 432-13 for \$60,000 which includes cost of setup, training and delivery. This is a government purchasing program that is provided to governmental agencies for procurement of quality products at low bid prices.

FUNDING/FISCAL IMPACT

During revised budget Traffic Engineering received \$55,000 for battery backup systems. The Traffic Engineering Department will also use \$5,000 of 2008 Certificate of Obligation (ADA Curb Ramps-Variou Locations) funds for this purchase.

TxBuyBoard Price	\$ 60,000.00	
Traffic Engineering Revised (14-15)		\$ 55,000.00
2008 CO		\$ 5,000.00
Total		\$ 60,000.00

Councilman Savage made the motion to approve the purchase of the battery backup system through the TxBuyBoard at the cost of \$60,000.00. Mayor Archibald seconded the motion, motion carried.

AYES: Councilmen Price, Kreitler, Williams, McAlister, Savage and Mayor Archibald
 NAYS: None

Resolution: **#56-2015**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, PURCHASE 12 UPS BATTERY BACKUP SYSTEMS FROM PARADIGM TRAFFIC SYSTEMS, Inc. FROM TXBUYBOARD CONTRACT #432-13

6.5 Resolution: Approval of Zoo Entrance fee increase. *(Item pulled from Consent by Councilman Savage).*

Council and staff discussion included: 1) the last time a rate increase was approved – 2 years ago; 2) increase exhibits and

It is important to note that 45% of all zoo admissions are free or at a discounted rate. Examples of discount and promotional opportunities provided by the AZS include:

- All AISD and WISD students admitted free of charge as part of school sponsored field trips.
- Zoolute to Dyess where active and retired military receive free entry
- Admission \$2.00 per person every Tuesday in Jan & Feb
- All mothers and fathers are admitted free on Mother’s and Father’s Day with paying child, regardless of age
- AZS Memberships
- Guest under 3 years old

Is also important to note that the fee increase will also help fund staffing for and general maintenance and up keep of many recently AZS funded improvements which include:

- New \$3.5 Million Giraffe Exhibit slated to open in fall of 2015
- Numerous patron attractions within the zoo (Mining sluice, carousal, train)
- Funding of 13 Full time and 24 seasonal City employees that support zoo operations

FUNDING/FISCAL IMPACT

The proposed fee increase is projected to generate an additional \$170,000 in revenue that will go back to cover operation expenses for the zoo.

Councilman Price made the motion to approve the rate increase for the Zoo. Councilman McAlister seconded the motion, motion carried.

AYES: Councilmen Price, Kreitler, Williams, McAlister, and Mayor Archibald

NAYS: Councilman Savage

Resolution: **#57-2015**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING ENTRANCE FEES TO ABILENE ZOO

- 6.9 Ordinance:** (First reading) **Z-2015-23**, A request from John Treanor, agent Paul Johnson, & the City of Abilene to rezone property from LI (Light Industrial) to GR (General Retail) zoning, being approximately 11.36 acres on the east side of Treanor Dr (including properties at 4102 Loop 322 & 4373 Treanor Dr) and approximately 12.06 acres on the west side of Treanor Dr; and setting a public hearing for October 22, 2015. *(Item pulled from consent by Councilman Kreitler)*

Council and Staff discussion included: 1) question regarding the property that city staff added to this zone change; 2) whether or not the owners of the property had been contacted. Staff did send notices but did not hear back; and 3) The Planning and Zoning Commission recommends 2) removing the 2 City initiated properties (4102 Loop 322 & 4373 Treanor Dr).

Councilman Price made the motion to approve the first reading **Z-2015-23**, A request from John Treanor, agent Paul Johnson, & the City of Abilene to rezone property from LI (Light Industrial) to GR (General Retail) zoning, being approximately 11.36 acres on the east side of Treanor Dr (including properties at 4102 Loop 322 & 4373 Treanor Dr) and approximately 12.06 acres on the west side of Treanor Dr. Councilman Williams seconded the motion, motion carried.

AYES: Councilmen Price, Williams, McAlister, Savage and Mayor Archibald

NAYS: Councilman Kreitler

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, "LAND DEVELOPMENT CODE," OF THE ABILENE MUNICIPAL CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

- 6.10 Ordinance:** (First Reading) Ordinance Amending Budget Ordinance No. 47-2015, Part 6 and setting a public hearing for October 8, 2015. *(Item pulled from consent by Councilman Savage.)*

Councilman Savage asked questions regarding the staffing numbers and budget numbers for the Police Department. This budget amendment will amend the budget to line up the current policy that the city uses in

staffing the Police Department.

Councilman Savage made the motion to approve the first reading on the ordinance amending the budget ordinance no. 47-2015, Part 6. Councilman Price seconded the motion, motion carried.

AYES: Councilmen Price, Kreitler, Williams, McAlister, Savage and Mayor Archibald
NAYS: None

AN ORDINANCE APPROVING A REVISION TO SECTION 6 OF ORDINANCE NUMBER 47-2015; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; CALLING A PUBLIC HEARING.

6.11 Ordinance: (First Reading) Ordinance Amendment- Chapter 5 Ambulance Services; and setting a public hearing October 8th 2015. *(Item pulled from consent by Councilman Savage.)*

Council and Staff discussion included: 1) Franchise section of the proposed ordinance; and 2) license vs contractual agreement.

Councilman Price made the motion to approve the first reading on the amendment to Ordinance Chapter 5 ambulance services. Councilman Kreitler seconded the motion, motion carried.

AYES: Councilmen Price, Kreitler, Williams, McAlister, and Mayor Archibald
NAYS: Councilman Savage

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE DELETING AND REPLACING CHAPTER 5, "AMBULANCES" OF THE ABILENE CODE OF ORDINANCES AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND CALLING FOR A PUBLIC HEARING.

REGULAR ITEMS

7.1 This item was pulled prior to the start of the meeting due to conflict of interest of city council members and one member absent.

Ordinance & Public Hearing: (Final Reading) an ordinance approving a request from Abilene Christian University (ACU) for amendment to the TIRZ boundary to include additional property owned by ACU.

7.2 Councilman Williams made the motion to REMOVE FROM THE TABLE Resolution **CB#1546** – Gas Chromatograph/Mass Spectrometer for the Abilene Environmental Laboratory. Councilman Price seconded the motion. Motion carried.

AYES: Councilmen Price, Kreitler, Williams, McAlister, Savage and Mayor Archibald
NAYS: None

Rodney Taylor, Interim Water Utilities Director briefed the council on the purchase of a Gas Chromatograph Mass Spectrometer.

On September 10, 2015 the Abilene City Council voted to table this item in order to allow City Staff time to evaluate the possibility of acquiring a MS/GC instrument from the DCOA Life Science Incubator Facility (incubator). A subsequent site visit to the incubator by City staff determined that the incubator does not own a GC/MS instrument. City staff recommends that the Abilene City Council remove from the table and award the bid as

recommended.

On August 25, 2015 the City of Abilene received bids for the purchase of a Gas Chromatograph/Mass Spectrometer (GC/MS) CB-1546 for the Abilene Environmental Laboratory. The new GC/MS will replace an existing unit. The GC/MS was advertised in the Abilene Reporter News on August 9 and 16, 2015. Three bids were received. The lowest bid meeting the minimum requirements of the bid documents was submitted by Shimadzu Scientific (SS) of Houston, TX in the amount of \$93,703.18. City staff evaluated the bid submittal and does recommend awarding the bid to SS.

The Abilene Environmental Laboratory utilizes the GC/MS instrument for measuring the concentration of organic disinfection by-products in drinking water such as Trihalomethanes (THMs). The Environmental Protection Agency and the Texas Commission on Environmental Quality regulate the concentration of THMs in drinking water. THMs are formed during the disinfection process when chlorine or certain chlorine compounds react with naturally occurring organics in the raw water. The City of Abilene must regularly monitor for THM's at various points in the water treatment process and in the water distribution system so that adjustments can be made in the treatment processes and in the distribution system in order to maintain compliance with the applicable regulations. The existing GC/MS unit is approximately 15 years old and is in need of replacement due to ongoing issues with reliability and the lack of replacement parts.

Council and Staff discussion included: 1) a review of fees for testing.

Councilman Kreitler made the motion to approve the purchase of a Gas Chromatograph Mass Spectrometer. Councilman Price seconded the motion, motion carried.

AYES: Councilmen Price, Kreitler, Williams, McAlister, Savage and Mayor Archibald

NAYS: None

Resolution: **#58-2015**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AWARDED BID TO SHIMADZU SCIENTIFIC FOR PURCHASE OF A GAS CHROMATOGRAPH/MASS SPECTROMETER FOR THE ABILENE ENVIRONMENTAL LABORATORY

7.3 Robert Hanna, City Manager briefed the council on the Resolution authorizing the City Manager to enter into a contract with Freese and Nichols, Inc.

Council discussed the implementation strategy for the 2015 Bond Projects at their September Work Session. At that meeting, Council directed staff to move forward with a plan to negotiate professional services for an implementation management team for the bond program. This team will manage the programmatic aspects of the bond program and will provide general oversight and other professional services to the City of Abilene as we move forward in the \$23 million dollar initial phase of the 2015 bond program.

Staff has worked with Freese and Nichols, Inc (FNI) to identify a scope of work and corresponding fee for service that meets the service needs set forth by the City. The scope includes the following service areas: (1) Program Management Support, (2) Design Management and Oversight, (3) Bid or Negotiation Phase Services, (4) Construction Phase Assistance, (5) Right of Way and Property Acquisition Services, (6) e-Builder Support, (7) Resident Representation and Construction inspections (as needed), and (8) Public Involvement Process Support. These eight major service areas are further defined into sub-components in the attached Scope of Work.

The agreement is for an initial term of one year. It is anticipated that FNI will assist the City more heavily in the initial phases of the bond program than in later phases. It is the intent of the City Manager to have FNI teach the

organization best practices in the planning and implementation of capital projects and bond projects in an effort to wean the City away from the need for such professional service agreements in future years.

To this end, a group of key employees have been identified to have a greater role and involvement in the implementation program. In addition, the coordination of e-Builder services has been added to the scope. e-Builder is a powerful software tool that will assist the City in managing the project workflow process for each project or program associated with the bond initiative. It will also be used for our capital implementation program. The City already owns the licenses for e-Builder, and with the assistance of FNI we will position ourselves to integrate it more fully into our organization.

The scope of work identified will be completed for a not-to-exceed amount of \$660,000, billed in 12 monthly installments of \$55,000 each. This professional service fee represents 2.87% of the total Phase I amount of \$23 million dollars. Funding for this professional services agreement is an eligible bond expense and can be charged proportionally to each project. If Council would prefer that this fee be funded through end of year savings, this is also an acceptable funding mechanism. This latter method also has the added benefit of maximizing bond funds for available project dollars.

STAFF RECOMMENDATION

Staff recommends adopting the resolution authorizing the City Manager to enter into a professional services agreement with Freese and Nichols, Inc for the attached scope of work. Staff further recommends that this professional services agreement be funded from end of year savings and that these savings be set aside for this purpose in addition to street improvements and fire apparatus replacements.

Council and Staff discussion included: 1) issues with the Ambler Street reconstruction and the utilities that are going to have to be relocated during the reconstruction; 2) year end funds for the payment of this contract or payment from the bond funds and 3) citizen Doug Kirkpatrick spoke against the contract.

Councilman McAlister made the motion to approve authorizing the City Manager to enter into a contract with Freese and Nichols, Inc. Councilman Williams seconded the motion, motion carried.

AYES: Councilmen Price, Williams, McAlister, and Mayor Archibald

NAYS: Councilman Savage and Kreidler

Resolution: **#59-2015**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR PROFESSIONAL SERVICES WITH FREESE AND NICHOLS, INC.

EXECUTIVE SESSION

Mayor Archibald recessed the Council into Executive Session at 9:56 am. pursuant to Sections 551.071, 551.074, 551.072 and 551.087 of the Open Meetings Act, to seek the advice of the City Attorney with respect to pending and contemplated litigation, to consider the appointment and evaluation of public officers, to consider the purchase, exchange, lease or value of real property, and to discuss contemplated business prospects and or economic development matters.

The Council reconvened in Open Session at 10:58 am. and reported no votes or action was taken in Executive Session in regards Personnel Section 551.074 and Real Property Section 551.072.

10. Mayor Archibald made the motion to appoint Stanley Smith as Interim City Attorney effective September 30th @ 5:00 pm. Councilman Williams seconded the motion, motion carried.

AYES: Councilmen Price, Kreidler, Williams, McAlister, Savage and Mayor Archibald

NAYS: None

There being no further business the meeting was adjourned at 11:00 am.

Danette Dunlap, TRMC
City Secretary

Norm Archibald
Mayor